

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

Hilda L. Solis, Secretary of Labor,
United States Department of Labor

Plaintiff,

v.

John J. Koresko V., et al.

Defendants.

CIVIL ACTION

No. 09-cv-00988

FILED

OCT 25 2012

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

ORDER

And Now, this 25th day of October, 2012, upon consideration of the Joint Motion of the Parties to Modify the Scheduling Order Entered February 13, 2012, it is hereby Ordered and Decreed that the Motion is Granted, and, pursuant thereto, IT IS HEREBY ORDERED that:

1. Koresko Defendants are to continue their investigation of documents within the possession, custody and control of Koresko Defendants and, if appropriate, will supplement Koresko Defendants' responses to DOL's Interrogatories not later than January 31, 2013 by providing additional information or directing the DOL to documents wherein some or all of the information requested may be found, or responding under oath that no responsive documents exist;

2. Koresko Defendants are to produce to the DOL documents responsive to the DOL's First Request for Production of Documents that are within Koresko Defendants' possession, custody and control on a rolling basis timed as follows:

- (i) Not later than November 13, 2012: all documents responsive to Requests Numbers 5, 9, 10, 11, 14, 17, 21, 23, 27, 28, and 29;

- (ii) Not later than December 20, 2013: all documents responsive to Requests Numbers 1, 2, 3, 4, , 6, 7, 8, 12, 13, 18, 20, 22, 24, 25, 26, 53 and 54; and
- (iii) Not later than January 31, 2013: all documents responsive to Requests Numbers 15, 16, 19, and 30, and all documents responsive to Requests 31 to 52, inclusive, should the Court grant the Koresko Defendants' Motion for Reconsideration.

3. All documents encompassed by DOL Document Request 55 that are within the possession, custody and control of Koresko Defendants will be produced not later than January 31, 2013; except for those documents previously produced in accordance with the foregoing rolling production;

4. Koresko Defendants are to respond to the DOL's First Request for Admissions on or before January 15, 2013. The Secretary does not waive any arguments she may have that these answers are untimely or that these Requests have already been deemed admitted by the Koresko Defendants' failure to answer as of the date of this Motion.

5. Koresko Defendants are to respond to the DOL's proposed Stipulations on or before January 15, 2013.

6. Depositions of fact witnesses, are to be scheduled by the Parties, pursuant to their mutual agreement upon an orderly deposition schedule; all depositions are to be scheduled and completed no later than March 31, 2013.

7. All Defendants shall proceed forthwith with discovery and continue in such manner as will assure that all requests for, and responses to, discovery will be served, noticed, and completed by March 31, 2013.

BY THE COURT


MARY A. MCLAUGHLIN, J.